



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

█
Docket No: 7003-21
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER █, █,
XXX-XX-█ USMC

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments
(2) Case summary with excerpts of naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting, in effect, that his "RE-4" (not recommended for retention) reenlistment code be changed on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) and (2) apply.

2. The Board consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 5 January 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began active duty on 24 January 2011.

d. On 19 July 2018, Petitioner received positive endorsements for retention and special duty assignment from all levels of his chain of command.

e. On 14 January 2019, Petitioner extended his enlistment to await a retention response from Headquarters, Marine Corps, changing his expiration of enlistment date to 30 April 2019.

f. Petitioner's record contains an undated Administrative Remarks (1070) Page 11 entry indicating a RE-4 reentry code based on a pattern of misconduct.

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g. On 30 April 2019 , Petitioner was discharged with honorable characterization of service by reason of completion of required active service with an RE-4 reentry code.

h. Petitioner contends that his RE-4 reentry code is incorrect because his reenlistment packet was approved by Headquarters Marine Corps prior to his denial of reenlistment due to personal reasons.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

The Board notes that a review of Petitioner's record failed to reveal any disciplinary infractions that warrants a negative reentry code based on a pattern of misconduct. The Board also noted that the Page 11 signed by both the Petitioner and his commanding officer was not dated, thereby rendering it invalid. The Board concluded that relief is warranted based upon Petitioner's honorable characterization of service, lack of derogatory information in his record, and positive command endorsements during the retention process.

In view of the foregoing, the Board directs the following corrective action.

RECOMMENDATION:

That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) indicating a RE-1A reentry code.

That the undated Administrative Remarks (1070) Page 11 entry indicating a RE-4 reentry code based on a pattern of misconduct be removed from Petitioner's record.

That no further changes be made to the record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

1/18/2022

[REDACTED]

[REDACTED]